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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RKF RETAIL HOLDINGS, LLC, a Delaware
limited-liability company,

Plaintiff,

vs.

TROPICANA LAS VEGAS, INC., a Nevada
corporation,

Defendant.

TROPICANA LAS VEGAS, INC., a Nevada
corporation,

Counterclaimant,

vs.

RKF RETAIL HOLDINGS, LLC, a Delaware
limited-liability company; DOES 1-5; and
ROES 1-5, inclusive,

Counterdefendants.

RKF RETAIL HOLDINGS, LLC, a Delaware
limited-liability company,

Plaintiff,

vs.

EASTERN REAL ESTATE, LLC, a
Massachusetts limited-liability company,

Defendant.

Case No. 2:14-cv-01232-APG-GWF

Consolidated with:

Case No. 2:15-cv-01446-APG-GWF

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING ON
MOTION FOR LEAVE TO DISCLOSE
EXPERT WITNESS AND SUBMIT FINAL
EXPERT DAMAGES REPORT [Dkt. #84]
AND MOTION TO COMPEL
DEFENDANT TROPICANA LAS VEGAS,
INC. TO RESPOND TO PLAINTIFF'S
FIFTH REQUEST FOR THE
PRODUCTION OF DOCUMENTS [Dkt.
#85] AND TO EXTEND THE BRIEFING
DEADLINES REGARDING THE SAME**

(First Request)

1 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, RKF Retail Holdings, LLC (“RKF”),
2 Tropicana Las Vegas, Inc. (“Tropicana”), and Eastern Real Estate, LLC (“Eastern”) agree and
3 stipulate as follows: RKF filed its Motion for Leave to Disclose Expert Witness and Submit
4 Expert Damages Report (“Motion for Leave”) (Dkt. #84) on March 15, 2017, and its Motion to
5 Compel Tropicana Las Vegas, Inc. to Respond to Plaintiff’s Fifth Request for the Production of
6 Documents (“Motion to Compel”) (Dkt. #85) on March 16, 2017. The Court issued minute
7 orders setting both the Motion for Leave and Motion to Compel for hearing on April 11, 2017 at
8 9:30 a.m. (Dkt. #86, Dkt. #87).

9 Counsel have irreconcilable conflicts with the current hearing date as it is scheduled
10 during Passover and due because of out-of-state depositions occurring in this matter in the days
11 immediately following the current hearing date. In light of these conflicts, the parties have
12 agreed to continue the hearing from April 11, 2017 to May 5, 2017, to be set at a time convenient
13 to the Court.

14 In light of the continuance of the hearing and counsels’ existing professional obligations,
15 including Tropicana’s counsel’s bench trial in another matter commencing on March 28, 2017 in
16 the Eighth Judicial District Court, Clark County, Nevada, Tropicana and Eastern have requested
17 an approximate one-week extension of time to file their Oppositions to the Motion for Leave
18 and/or Motion to Compel. RKF is agreeable to the requested extension and to setting the
19 deadline for filing any such Oppositions for April 7, 2017.

20 Due to RKF’s counsel’s professional obligations and in light of the continuance of the
21 hearing date, RKF has requested an extension of time to file its Reply briefs until April 21, 2017.
22 Tropicana and Eastern are agreeable to RKF’s request.

23 This is the first stipulation seeking a continuance of the hearing on these Motions or for
24 seeking an extension of the time for parties to file Oppositions and Replies to such Motions.

25 Based on the foregoing, IT IS HEREBY STIPULATED by and among RKF, Tropicana
26 and Eastern, through their respective counsel of record, that the hearing on the Motion for Leave
27 and Motion to Compel currently set for April 11, 2017 at 9:30 a.m. shall be CONTINUED to
28 May 5, 2017, at a time determined by the Court.

1 IT IS FURTHER STIPULATED that the deadline for Tropicana and Eastern to file any
2 Oppositions to the Motion for Leave or Motion to Compel shall be extended to April 7, 2017.

3 IT IS FURTHER STIPULATED that the deadline for RKF to file any Replies to the
4 Motions for Leave or Motion to Compel shall be extended to April 21, 2017.

5
6 DATED this 23rd day of March, 2017.

DATED this 23rd day of March, 2017.

7 GREENBERG TRAUIG, LLP

CAMPBELL & WILLIAMS

8 By: /s/ Christopher R. Miltenberger

By: /s/ Perry M. Amsellem

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15 *Counsel for Tropicana Las Vegas, Inc.*

16 DATED this 23rd day of March, 2017.

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Counsel for Eastern Real Estate, LLC

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: March 24, 2017